

APPROVED: Meeting No. 32-95

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 16-95

March 13, 1995

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on March 13, 1995, at 7:31 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Rose G. Krasnow

Councilmember Nina A. Weisbroth

In attendance: Acting City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Mr. Kuckkahn commented that the "Rockville Day in Annapolis" event was a huge success. This year's visitors included the State Comptroller, State Treasurer, President of the Senate and a representative of the Speaker of the House, as well as members of the Governor's Cabinet and many other Senators and Delegates. Mr. Kuckkahn expressed appreciation to Rockville Center Inc. for helping to co-sponsor the event.
2. Members of the Mayor and Council and staff attended Richard Montgomery High School's annual Hunger Banquet which helped to focus on the level of hunger

throughout the World. Music and dance were followed by student presentations, and the members of the audience were treated to a bowl of rice which is a common fare for much of the World's population.

3. The Cabin John Watershed informational meeting was held March 2 and was attended by approximately 20 people. The record will remain open for citizens to comment on the Study through March 23, and staff will be providing a report to the Mayor and Council sometime in May. Copies of the Study are available at City Hall.

4. The Lincoln Park Historical Society is hosting the Third Annual Women's History Celebration on Saturday, March 25, at 5 p.m. For further details, call Anita Neal-Powell at 468-5747.

5. The City received a request from RCI, Inc. to transfer ownership of its controlling stock to Essex Capital Partners, Ltd. The transfer would take effect on March 31. The Transition and Development Agreement will not change as a result of the transfer and RCI and its project team will remain as the managers of the redevelopment project. In addition, no public funding will be affected. The T&D Agreement requires that the City act on this type of transfer and the Mayor and Council have scheduled approval of the transfer at the March 27, 1995 General Session.

Mayor Coyle suggested that communication be made to County and State officials to inform them of the Mayor and Council's scheduled approval of the transfer and to assure them that the City is comfortable with the transaction.

Re: Presentation by Girl Scouts.

Erin McNautley, representing Senior Troop 741 introduced Susannah Martin, (Daisy Troop 760), Ashley Miller (Brownie Troop #2282), Christy Hylden (Junior

Troop 1658), Kathleen McGuire (Cadette Troop 566). Senior Advisor Jim Bates from Troop 741 accompanied the Girl Scouts. Miss McNautley reported on Girl Scout Troop service projects, troop meetings and fund raising activities the Troops are involved with the City of Rockville. The Troop members then distributed Girl Scout cookies to the Mayor and Council, staff and members of the audience. Councilmember Weisbroth commented that she is a former First Class Scout, and she said that the opportunities for personal and individual development in the interests of the community were wonderful. She commended the Scouts on the services they performed for the City.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Jerome Loux, Chair, Planning Commission, 1386 Stratton Drive commented on a combined golf tournament being sponsored by Housing Charities, Inc. and the Montgomery County Association of Realtors on June 8. He invited the Mayor and Council to join in the fundraiser. Mr. Loux then said that the Planning Commission had reviewed the CIP and noted funding for the modernization of Ritchie Park Elementary School. Mr. Loux expressed concern about a County Council staff report which identified the potential of closing the school. He said that as a Montgomery County PTA delegate for the school, he felt this would be very detrimental, and he asked that the Mayor and Council recommend against any such proposal.

Councilmember Krasnow questioned the prospect in relation to the new Tower Oaks town house development, which she said would be assigned to school. Mr. Loux agreed and said that Ritchie Park School, at the end of six years without the

Tower Oaks town houses, would be at 93% capacity and he said that closing the school would not make sense. Ms. Krasnow noted that the suggestion to close the school was very preliminary; however it was good to be alerted to the matter.

Re: Appointment

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Alice Filemyr Bell was appointed to serve on the Traffic and Transportation.

Re: Approval of Minutes

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Minutes of Meeting No. 37-94 (December 19, 1994 Worksession) were approved as written.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the Minutes of Meeting No. 01-95 (January 3, 1995 Worksession) were approved as written.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Minutes of Meeting No. 1A-95 (January 7, 1995 Executive Session) were approved as written. Councilmember Weisbroth abstained as she was absent from that meeting.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Minutes of Meeting No. 02-95 (January 9, 1995 General Session) were approved as written. Mayor Coyle abstained as he was absent from that meeting.

Re: Consent Agenda

Councilmember Krasnow requested removal of Consent Agenda Item B.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the following Consent Items were approved.

- A. Award of Bid #77-95
To: C&C Farms
Of: Damascus, MD
In the amount of: \$43,089

For: Tree and shrub planting
throughout the City and on City rights-of-way.

- C. Award of Bid #63-95, Pension Plan
Actuarial Services
To: The Principal Financial Group
Of: Des Moines, Iowa
In the Amount Of: an estimated
\$16,000 per year

For: The performance of Actuarial
Services for the City's Pension Plan.

Re: (Item B) Award of Bid #64-95,
Pension Plan Administrative and
Investment Services.

To: The Principal Financial Group
Of: Des Moines, Iowa
In the Amount Of: an estimated
112,500 in investment commissions plus
\$17,126 in service fees.

For: The investment of the City's
Pension Plan assets and performance of
administrative recordkeeping services.

Councilmember Krasnow said she was contacted by a resident who was surprised that the City awards a contract to one group who performs both administrative work and investing the assets. She questioned whether there were any cost advantages in the City using one firm for both functions. Finance Director Kevin Deckard said that

in the history of the plan, the City never used a separate investment firm. He said that 35 vendors were contacted for the bid and a number of them fit the category of investment firms--some were banks, some were among the top investment names in America, and some were insurance companies. He said he felt that the City made the best selection for the best deal. Mr. Deckard also said the City's investment portfolio in the Pension Plan was complicated; it had a defined benefit segment to the Plan as well as a defined contribution. The Defined Benefit segment was designed to ensure a certain stream of dollars to employees when they retired based on their earnings while they worked and the number of years they are employed by the City. That money was invested in accordance with policies of the City's Retirement Board, and the Defined contribution was controlled by employee choices.

Councilmember Marrinan pointed out that the performance of the Principal Financial Group had been outstanding for the past five years; he also noted that the Retirement Board unanimously endorsed the recommendation to award the bid to The Principal Group.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Bid #64-95 was awarded for Pension Plan Administrative and Investment Services to The Principal Financial Group.

Re: Approval of Master Plan for the Arts
1995-2001.

Mr. Kuckkahn said that the Master Plan for the arts was developed over the past year by the Cultural Arts Commission, staff, and other arts-related organizations. The business community and individual citizens also had input into the process. The

concerns expressed during the recent Worksession with the Mayor and Council were incorporated into the Final Draft of the Plan. He said that the Plan established guidelines and policies for the arts to assist with implementing and developing growth in arts-related areas. The Plan also addressed goals and objectives for the arts in Rockville and described the community served and the current status of the arts, while reviewing the economic impact of the arts and making recommendations for strengthening current programs and fostering new initiatives. Mr. Kuckkahn said the Cultural Arts Commission and staff recommend that the Mayor and Council approve the Master Plan.

Councilmember Krasnow said that the Plan had been reviewed fairly comprehensively by the Mayor and Council, and she appreciated the suggestions which were incorporated into the document. Ms. Krasnow said she felt the Plan was an outstanding model for the entire County who were also trying to get a feel of where they are going with arts for the County. She thanked the Commission and the Task Force for their work.

At the Mayor's request, George Northway noted the Plan's eight recommendations for growth:

1. Survey those participating in arts offerings in Rockville
2. Target new audiences
3. Establish networks and formats to encourage communication, cooperation, and partnerships among individual artists, arts organizations, and other supporters of the arts.
4. Develop a cohesive public education and communication plan for the whole community, to include specific guidelines on outreach.

5. Review the concept for establishment of a "Friends of Arts" organization to develop a base of support through provision and dissemination of arts information and to work toward obtaining financial donations to support arts organizations in Rockville.
6. Examine arts offered outside of the community to develop an awareness of art-related opportunities and art forms not currently available in Rockville.
7. Establish increased interaction with professional arts organizations.
8. Establish venues to encourage and honor artistic excellence in its many forms.

Mayor Coyle noted that the Plan's recommendations for both policy issues and CIP recommendations were very well set out. He also commented on the "Wish List" of possibilities and said that some of the items, e.g., the elevator in Glenview Mansion, were already being addressed through the City's CIP program and maintenance programs.

Councilmember Weisbroth encouraged interested citizens to pick up a copy of the Master Plan for the Arts. Highlighting a point raised by Councilmember Dorsey during the Worksession, Ms. Weisbroth said the Plan did a tremendous job of encapsulating the history of the arts in the City, and one could get a good sense of where we have been, where we are, and how we will establish a vision for the future.

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, the Master Plan for the Arts 1995-2001 was approved.

Re: Approval of Compensation Commission
Recommendations for 1995.

On February 23, 1995, the
Compensation Commission filed a

report recommending that the Mayor and Council's annual stipends each be increased by \$2500.

Mayor Coyle noted that the Compensation Commission's recommendation was to increase the Mayor's annual stipend from \$8,000 to \$10,500, and the Councilmember's annual stipend from \$6,000 to \$8,500. Councilmember Marrinan pointed out that the last adjustment was made in 1984, it had been 12 years since the stipend was last adjusted. He said that assuming a 3 percent inflation factor for those 12 years came to a 36 percent increase. The Commission's recommendation of a \$2500 increase is a slight increase over 41 percent (for the Council), with the difference being approximately 6 percent. Mr. Marrinan said he would feel comfortable with reducing that recommendation by \$500 which was the difference between 36 and 41 percent. Councilmember Marrinan moved that the Commission's recommendation for the Mayor and Council stipends be adjusted downward by the amount of \$500; the motion was seconded by Councilmember Dorsey.

Councilmember Krasnow said that she supported the motion because she felt it was time to raise the stipend so as not to be a disincentive to anyone desiring to seek elective office. However, she said that the Mayor and Council were very conscious of the fact that the City is facing many budgetary constraints and have been asking everyone to tighten their belts by limiting new programs and adjusting salary and employee levels.

Councilmember Dorsey added that he felt it was more important to have at least put into place, a process that was citizen-based for the review and recommendation of the stipends every two years. Mayor Coyle and Councilmember Weisbroth concurred with the Council's comments. The motion to adjust the Commission's recommendations

downward by \$500 was unanimously passed. Councilmember Marrinan expressed appreciation to the Compensation Commission for their review and recommendation.

Re: Redgate Golf Course 1995-96 Fee Authorization.

The proposed 1995-96 fees will enable the golf course to continue to meet four key management objectives: (1) cover all operating expenses; (2) contribute to the course's CIP fund; (3) maintain fee parity with area public courses; and (4) continue to provide customers with a facility maintained to high standards.

Director of Recreation and Parks Burt Hall said that this year's modest fee increase of \$0.75 per nine holes for residents and \$1.00 per nine holes for non-residents, will maintain parity with other public courses in Montgomery County and generate revenues which will support the continuation of the course's excellent conditioning programs. The fee proposal has the endorsement of the Golf Course Advisory Committee, the Recreation and Park Advisory Board, the City's golf professional, and staff. gave the presentation.

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, the Redgate Golf Course 1995-96 fees were approved.

Re: Rockville Municipal Swim Center 1995-96 Fee Authorization.

With the goals of increasing participation by Rockville residents, selling more memberships, and increasing registrations in swim center programs, no increases in fees are recommended.

Mr. Hall reported that fees for memberships, admissions, and classes were all based on meeting financial goals set by the Mayor and Council, as well as on comparisons with fees charged at other public swimming and fitness facilities. The recommendation to hold the line of FY96 fees was designed to boost the swim center's competitive advantage among other public pools in the area. Mr. Hall said that the swim center continues to generate the highest revenues in relation to operating and capital costs of any aquatic facility in the Washington Metropolitan area. The proposal to hold the line on FY96 fees was reviewed and endorsed by the Swim Center Advisory Committee and the Recreation and Park Advisory Board.

Councilmember Krasnow commented on the issue of charging a family's caretaker an additional \$100 to use the pool. She said that this policy placed an unfair burden on the families who had two working parents because the caretakers were not using the pool for their recreation, but instead, as part of their job which was to take children to the pool in place of a mother or father. She asked that the policy of charging an additional fee be reviewed again.

Mr. Hall noted that the policy had been looked at by the Recreation and Park Advisory Board and the Rockville Municipal Swim Center Advisory Board, and was found to be consistent with other public pools and similar type of recreation facilities in

the area. He said with the \$100 additional fee, the City actually charged less for the babysitter. Mr. Hall said that the recommendation in the overall fee recommendation was to leave this policy as is; however, he said it would certainly be the prerogative of the Mayor and Council if they were interested in reducing or eliminating the fee.

Councilmember Weisbroth noted that she had raised the issue with the Advisory Board and the Swim Center Committee and she learned that the fee was not a revenue generator for the City. Ms. Weisbroth said also the definition of caretaker did not apply as most were professionals in the home from 9 to 5 and were acting in the capacity of a parent.

Terry Baker, member of the Recreation and Park Advisory Board and Chair of Swim Center Advisory Committee said the Committee looked at the issue several times and basically felt that supporting the caretaker was a good idea; however they were concerned that as a small body in the City operation, they were reluctant to take on what looked like a redefinition of the family and felt that such a redefinition should be taken on a broader City-wide basis. He said that if the family was redefined, they would be happy to support recommending changes in the caretaker pass policy.

Councilmember Dorsey suggested a redefining of the definition for "caretaker" and letting the "family" definition stay traditional.

Councilmember Krasnow suggested that aggressive marketing be undertaken and a survey be conducted to see what the actual demand is. Councilmember Krasnow also recommended that staff try allowing caretakers into the pool on a gratis basis.

Councilmember Marrinan commented added that the issue was increasingly complicated in some instances where extended family members live at the home and act as caretakers. He said under the definition used in the City, they would be excluded, and he said this seemed to be inequitable. He said there were instances where it was clear that live-in or regular caretakers involved in the family were surrogate parents. Mr. Marrinan said he was supportive of some type of change; however he would not be supportive of charging a fee by the size of the family.

The Mayor and Council discussed the issue at length and agreed that it needed further review. Staff was directed to:

- o Remove the \$100 fee for caretakers this membership year;
- o Do an analysis or survey of members and potential members to see how much this impacts Rockville families;
- o Recommend options for administratively handling the issue, e.g., registration of caretakers.
- o Staff to review the issue of the maximum age of a caretaker who can accompany children to the pool.

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, the 1995-96 Fee Authorization schedule was approved.

Re: FYI/Correspondence

1. Mayor Coyle noted a letter received from State Comptroller Louis Goldstein expressing appreciation to the City for hosting Rockville Day in Annapolis on March 13.
2. Regarding Item 1, Councilmember Marrinan complimented everyone involved in implementing the changes made to the summer parks registration process; he

said the new policy addressed resident's concerns about in-person registration on days of religious observance, and it also addressed other administrative concerns. Ms. Weisbroth said that as a participant in the process, she found that this was a convenient way to register for the City's summer programs.

3. Regarding Item 9, Councilmember Krasnow commented that requests for police services increased every year given that the City had not added any officers to its force, it was a credit to the Rockville Police Department that they are able to handle extra calls and are called upon to do extra things while continuing to perform an outstanding job.

4. Mayor Coyle expressed appreciation to the Rotary Club who donated \$10,000 and then an additional \$2,500 contribution to the scholarship fund.

5. Mayor Coyle asked that Chief Treschuk bring in the new commander of the Rockville Headquarters, Captain Anthony McDonald, to meet the Mayor and Council.

6. Councilmember Marrinan noted that the Council of Governments approved the next round of projections for cooperative forecasting of population and household employment. The figures estimate Montgomery County's current population at 810,000 which makes the County the first in the State to reach the plateau of 800,000 or more. He also said that the County's population will reach over 1 million by the year 2020, and Rockville's population is projected to reach 60,000 by the year 2020. Mr. Marrinan said the employment forecasts for Rockville was currently at 62.7 thousand; by the year 2000, it will increase to 73,000 and by 2020 to 86.6 thousand. Mr. Marrinan pointed out that the employment base was expanding at twice the rate of the residential base, and he said that this was good for the City's economic base. However, he also said there were policy

issues that the City would be faced with as it became more of an employment center. Mayor Coyle agreed that this was a real issue and he said there would be significant impact on the quality of life in the community.

7. Councilmember Weisbroth offered congratulations to the Swim Center staff for undergoing full registration today. She said that at 7:00 a.m., she was the 47th person in line and she witnessed the tremendous job accomplished by staff under a tremendous amount of pressure.

8. Councilmember Weisbroth noted that the City's Grandparents Support Group was invited to participate in the taping of "Broadcast House Live" on Channel 9 with Tom Brokaw. The City Manager was asked to try and obtain a copy of the videotape from the program which aired on March 2nd.

9. Councilmember Weisbroth mentioned that the Lot at the Northwest corner of Jefferson Street and Courthouse Square was no longer available for parking; short term alternate parking is available in the 4-hour parking area on East Middle Lane.

Re: New Business

1. Councilmember Krasnow noted that the Board of Appeals recently approved the construction of an ice skating rink on privately-owned property near Redgate Golf Course. The proposal was brought forth by the same company who originally proposed the skating rink in Welsh Park, and Ms. Krasnow said the plan was exciting and she was delighted at the prospect of having an ice skating rink in Rockville.

2. Mayor Coyle asked that the City go on record in expressing appreciation to the Fire and Rescue for their excellent handling of the emergency response to the gas main rupture. Mr. Kuckkahn added that the City's Police Department also did an excellent job.

3. Mayor Coyle suggested that the Mayor and Council may want to discuss the idea of reinstating an ice rink back in Town Center which was discontinued because of lack of use. Also, since the rink did not have a roof or a refrigeration system, there was no ice on warm winter days.

Re: Next Meeting

The Mayor and Council will hold a Public Hearing on Monday, March 20, 1995 to take citizen comments on the Exploratory Application, RTH95-0014 for property located at 5910 Halpine Road; (Cambridge Communities, Inc., Applicant). The Mayor and Council will also meet in Executive Session with The PAR Group, the executive search firm who will be conducting the search for a new City Manager.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting adjourned at 9:21 p.m.